

REMARKS

Claims 25-31 remain pending in this application. Claims 1-24 were canceled by preliminary amendment. Claims 25-31 have been rejected by the Examiner

Initially, the Examiner has objected to the drawings as failing to comply with 37 CFR 1.84(p)(5) "because they do not include the following reference sign(s) mentioned in the description" 'liquid NH₄F(HR)_x by-product 29' at page 12, line 19". This objection is respectfully traversed and it is respectfully submitted that the drawings as filed do include the indicated reference sign. It should first be noted that the description at page 12, line 19 does not refer to liquid NH₄F(HR)_x by-product but rather to liquid NH₄F(HF)_x by-product. Further, both drawing Figures 2 and 3 clearly show this by-product stream labeled with reference numeral 29. In Figure 2, the NH₄F(HF)_x by-product 29 is shown being removed from the steam exiting heat exchanger 18, and in Figure 3 the NH₄F(HF)_x by-product 29 is shown being exiting the bottom of reactor 20.

In light of the above, it is respectfully requested that the objection to the drawings be withdrawn.

By this amendment, the applicants have updated the status of the parent application as requested by the Examiner. Therefore, it is respectfully requested that the objection to the disclosure be withdrawn.

The Examiner has rejected claims 25-29 and 31 under 35 USC 102(e) as being anticipated by Satchell, Jr. et al (US 2002/0127167 A1). These rejections are respectfully traversed for the following reasons.

As noted by the Examiner the applied reference has a common inventor with the instant inventor; i.e. Satchell, Jr. et al. It is submitted that the present application

and the applied reference were, at the time the invention of the present application was made, were owned by, or subject to an obligation of assignment to, The BOC Group, Inc. Therefore, the applied reference is disqualified as a prior art reference [See 35 USC 103(c) and MPEP706.02(l)(2)].

The Examiner has also rejected claim 30 under 35 USC 103(a) as being unpatentable over Satchell, Jr. et al as applied to claim 29 above, and further in view of Tarancon. This rejection is respectfully traversed for the following reasons.

As noted above, Satchell, Jr. et al is disqualified as a prior art reference. Therefore, the rejection under 35 USC 103 can not be maintained.

In light of the above, it is respectfully requested that the rejections under 35 USC 102(e) and 103(a) be withdrawn.

In light of the above remarks, it is respectfully submitted that the present application is in condition for allowance and further action allowing all of the pending claims, i.e. claims 25-31, is respectfully requested.

Respectfully submitted,



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